

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty) REC'D 07 NOV 2005

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference FR920030011	FOR FURTHER ACTION	
See Form PCT/IPEA/416		
International application No. PCT/EP2004/003048	International filing date (day/month/year) 27.02.2004	Priority date (day/month/year) 18.04.2003
International Patent Classification (IPC) or national classification and IPC G06F17/24		
<p>Applicant INTERNATIONAL BUSINESS MACHINES CORPORATION</p> <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of sheets, as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application 		
Date of submission of the demand 27.02.2004	Date of completion of this report 07.11.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office - Gitschner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Authorized Officer Abram, R Telephone No. +49 30 25901-	



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/003048

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-68 as originally filed

Claims, Numbers

1-24 as originally filed

Drawings, Sheets

1/20-20/20 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

- The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
- This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseeded."

**INTERNATIONAL PRELIMINARY REPORT
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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-24
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-24
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-24
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

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Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: WO 03/014987 A (INTERNATIONAL BUSINESS MACHINES CORPORATION)
20 February 2003 (2003-02-20)

D2: HENRION: "WHAT'S WRONG WITH SPREADSHEETS - AND HOW TO FIX THEM WITH ANALYTICA" [Online] 14 July 2004 (2004-07-14), XP002333472
Retrieved from the Internet: URL:<http://www.lumina.com/dlana/papers/What%20wrong%20with%20spreadsheets.pdf> [retrieved on 2005-06-24]

1. The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and shows (the references in parentheses applying to this document):
 - a. method (page 179, line 4 - page 192, line 10; figure 14) for creating one or a plurality of scalable template instances.
 1. The subject-matter of claim 1 differs from this known method in that the scalable templates (and their instances) are recursive (each element of the top-level scalable recursive template can itself be a scalable template).
 2. The subject-matter of claim 1 is therefore new (Article 33(2) PCT).
 3. The problem to be solved by the present invention may be regarded as enabling the user of a spreadsheet to create very complicated and adaptable hierarchical structures within a spreadsheet without an undue burden of effort.
 4. The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

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None of the available prior art even hints at the idea of creating instances of scalable hierarchical structures within a spreadsheet, or even that this is possible or practicable. Conventional spreadsheets have difficulty coping with creating & amending even relatively simple table structures and normal practice is still to resort to numerical modelling software (see for example D2) rather than try to incorporate these capabilities into the spreadsheet concept.

5. Claims 2-22 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.
6. Claims 23 and 24 refer to a computer system and a computer program respectively for carrying out the steps of the method of claims 1-22, and as such also meet the requirements of the PCT with respect to novelty and inventive step.